

### **REMARKS**

The Office Action of April 3, 2007 has been carefully reviewed and these remarks are responsive thereto. Claims 68 and 93 have been amended. Claims 69-70, 72, 73 and 93 remain pending after entry of the present amendment. Reconsideration and allowance of the instant application are respectfully requested.

#### ***Allowable Subject Matter***

Applicants thank the Examiner for indicating allowable subject matter with respect to claim 93.

#### ***Claim Rejections Under 35 U.S.C. § 112***

Claims 68-70, 72, 73, and 93 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Applicants have amended claims 68 and 93 to be in a more preferred form, thus rendering this rejection moot.

#### ***Claim Rejections Under 35 U.S.C. §101***

Claims 68-70, 72 and 73 stand rejected under 35 U.S.C. §101. The Office Action asserts that claim 68 merely recites a data structure. Applicants respectfully disagree. Claim 68 recites a **method** for mobile IP route optimization that includes adding a route entry to a routing table. As the Office Action notes, 35 U.S.C. §101 reads “Whoever invents or discover any new and useful **process**...may obtain a patent therefore...” (emphasis added). Accordingly, Applicants respectfully submit that claim 68 is directed to statutory subject matter.

#### ***Rejections Under 35 U.S.C. § 102***

Claim 68 stands rejected under 35 U.S.C. § 102(a) as being anticipated by Perkins *et al.* “Route Optimization in Mobile IP,” (hereinafter “Perkins”). Applicants respectfully traverse this rejection for at least the following reasons.

Amended independent claim 68 recites:

“A method for mobile internet protocol (IP) route optimization comprising: registering a mobile node with a mobile IP visiting network, wherein the mobile node is in the mobile IP visiting network having a mobile IP protocol; adding a route entry for the registered mobile node to a routing table in a mobile IP foreign agent of the mobile IP visiting network, wherein the route entry includes: a destination address comprising an address for a home network of the registered mobile node; a nexthop value comprising a local interface to which the registered mobile node is attached; a routing cost comprising a value lower than all other routes available to the registered mobile node; and forwarding a datagram from a correspondent node to the registered mobile node using the a shortest path between the mobile node and the correspondent node, wherein the correspondent node is unaware of tunneling between the registered mobile node and a home agent of the registered mobile node and wherein the shortest path is defined based on the routing table.”

Perkins fails to teach or suggest all the features as recited in amended claim 68. For example, nowhere does Perkins teach or suggest that a correspondent node is unaware of tunneling between a registered mobile node and a home agent thereof. In fact, Perkins teaches away from the recited features. In particular, Perkins discloses that a correspondent node needs to be aware of the mobile IP protocol. Specifically, Perkins at page 21, para. 2-3 states that, “[f]or use with Route Optimization, a mobility security association held by a correspondent node or a foreign agent must include the same parameters as required by base Mobile IP,” and that “[f]or [a] correspondent node to be able to create a binding cache entry for a mobile node, the correspondent node and the mobile node's home agent are required to have established a mobility security association.” Perkins specifically teaches that “[w]ithout establishing a mobility security association, nodes will not currently be able to authenticate the values transmitted in Route Optimization extensions.” page 22, para. 1. Thus Perkins fails to teach or suggest all of the features as recited in claim 68. Accordingly, claim 68 is allowable for at least these reasons.

Claim 69 depends on amended claim 68 and is thus allowable for at least the same reasons as amended independent claim 68 and further in view of the novel and non-obvious features recited therein.

***Claim Rejections Under 35 U.S.C. § 103***

Claims 70, 72 and 73 stand rejected under 35 U.S.C. 103(a) as being upatentable over Perkins in view of La Porta *et al.* (U.S. Pat. No. 6,434,134, hereinafter La Porta). This rejection is respectfully traversed for at least the following reasons.

Claims 70, 72 and 73 are dependent on claim 68 and thus incorporate all of the features of claim 68. La Porta fails to cure the above-identified deficiencies of claim 68. Thus, notwithstanding whether the combination of Perkins and La Porta is proper, dependent claims 70, 72 and 73 are allowable for at least the same reasons as their respective base claim. Claims 70, 72, and 73 are further allowable in view of the additional novel and non-obvious features recited therein.

**CONCLUSION**

All rejections having been addressed, Applicants respectfully submit that the instant application is in condition for allowance, and respectfully solicit prompt notification of the same. Should the Examiner find that a telephonic or personal interview would expedite passage to issue of the present application, the Examiner is encouraged to contact the undersigned attorney at the telephone number indicated below. If any additional fees are required or if an overpayment has been made the Commissioner is authorized to charge or credit Deposit Account No. 19-0733, accordingly. Applicant looks forward to passage to issue of the present application at the earliest convenience of the Office.

Respectfully submitted,  
**BANNER & WITCOFF, LTD.**

Dated: July 3, 2007

By: /Chunhsi Andy Mu/  
Chunhsi Andy Mu  
Registration No. 58,216

1100 13<sup>th</sup> Street, N.W.  
Washington, D.C. 20005-4051  
Tel: (202) 824-3000  
Fax: (202) 824-3001